

LICENSE PLATE AUCTION GROUP (LPAG)

GoToMeeting – 1881 Pierce St., Lakewood, CO – Boards and Commissions
Conference Room

March 28, 2016

Minutes to the Meeting

Members in Attendance: Bobby Juchem, Gina Robinson, Bob Gall, and Terri Krupke (via telephone), Mark Simon (via telephone), Maren Rubino and Peter Pike.

Guests in Attendance: Chris Hochmuth – DOR (via telephone), Corey Krause, LeeAnn Morrell (via telephone) and Dylan Ikenouye (via telephone).

[All meetings are electronically recorded; please refer to the meeting recording for further details.]

CONVENE: The meeting was convened at 9:05 am by Bobby Juchem.

Business:

- ❖ Approval of Minutes from the February 29, 2016 meeting – Bob questioned what the statement concerning LPAG deciding “33” being out of the scope of LPAG meant, since there wasn’t a vote or decision made. Bob asked that it be removed. Bob also asked LeeAnn about the possibility of an executive session to discuss “33”. LeeAnn noted that a Super Majority wasn’t present to do so. There was other discussion about whether an executive session was really needed.
 - Bob discussed “33” and gave history about LPAG’s interactions around this configuration and back around to “57” as discussed in the last meeting. Bob believed that “33” has been registered and continues to be registered and denies LPAG significant funds. Bobby asked LeeAnn’s opinion about whether LPAG had jurisdiction over this. She believed that LPAG can request it, and if it’s available they can reserve it but if registered then there isn’t ability for LPAG to get it. She also wasn’t sure about the history around the issuance of 57 back in the 70’s and whether they could be issued today. Bob thought there might be legal action from Mr. Smith regarding “57” but agreed to let the issue go if he could talk to LeeAnn later. LeeAnn agreed that this was probably not in the scope of LPAG as the Department was an independent Executive branch agency. Mark wanted to know when the prohibition about single and double digit numbers went into statute. And then wanted to know the history of “33” without necessarily knowing who owned it, just if there had been multiple

owners. Bobby noted once again, that “33” is not and LPAG issue has never been and LPAG issue and has no jurisdiction over it. Mark was saying he just wanted to be in a better disposition to defend any potential law suits. Maren reminded the group the only actions that LPAG needs to defend are actions LPAG has taken. LeeAnn agreed with Maren’s characterization.

Gina moved to approve the Minutes, Gina 2nd the motion. The motion passed with Mark’s abstention.

Peter agreed with Bobby and that their job is to auction plates and make money for PWD’s and discussions about being sued seem to undermine that purpose.

- ❖ Update on JAG Investigation – LeeAnn gave an update indicating that she had provided Judge Moorhead all of the information both electronic and paper and he has made a preliminary review of the materials. Apparently he’d like to have some discussions with Bobby, Mark, Marty Zimmermann, and Steve Ferrara and his office will coordinate the scheduling. Some of these may take place via telephone. He might also be interested in talking with Zach and/or Romaine. LeeAnn noted that he also wanted to speak with the Auctioneer and that information would have to be provided by Marty Zimmerman.
- ❖ Reservation Number Value Discussion – Maren thought this was a recurring item for Mr. Krause, but that he wasn’t going to provide any updates until he had the most updated list from the last meeting. Mr. Krause thought he had some benchmarks set but was waiting for the updated list. Bobby asked about Zim Consulting’s work on this and it was noted that they had worked on an older list and probably hadn’t seen the updated list. LeeAnn, when asked, thought it was OK to continue to work on this as long as they did not try to spend money as they had no spending authority.
- ❖ Registration Number Reservation Request Response (DOR) – Maren reported on LPAG’s last request and handed out the list. Maren asked if we should then update the list given Mr. Krause for review. It was moved by Gina and 2nd by Bob to do so. Peter asked if this would put LPAG at risk. LeeAnn reviewed state fiscal rules with LPAG and how indeed there could be a potential conflict of interest. Mark asked if Mr. Krause did it of his own volition and the information was passed on how that might look. LeeAnn noted that “this ship has already sailed” technically as it has already been an agenda item and is in the minutes and information has already been provided. LeeAnn did caution the LPAG from anonymously sharing this information with LPAG 2.0. Bob asked the minutes could reflect that there are a number of configurations that needed to be evaluated and offer it to the public to offer this information. Mark noted that this still did not avoid any potential conflicts of interest. LeeAnn thought and RFI was a better approach, especially early on. Bobby thought the consensus of the Group (without a vote) was that an RFI was probably the best approach within

the context of the new legislation that was moving forward. Mark asked Mr. Krause was still interested given all this new information. Mr. Krause thought he'd probably abstain from doing any further work.

- ❖ Procedure to release reserved registration numbers – Maren briefed the Group on the procedure that she was tasked on preparing. Maren questioned the policy of releasing registration numbers at all given the possible current legislation and the climate of the pervious discussions around “33” and “57”. Mark and Bobby both agreed it might be disingenuous to release plates. Mark also asked if there was permission from the Governor’s office to do this. Bob thought that since the group could assimilate plates, surely they could release plates. Bob asked if they were in violation by releasing plates. LeeAnn tended to agree that the legislation creating LPAG 2.0 did seem to make the whole thing a moot point. Bobby thought the best approach was to table all of this until LPAG 2.0 was in place. Maren moved to withdraw the procedure. Bob 2nd the motion. Similar discussion to the above continued.

- Gina – Yes
- Maren – Yes
- Peter – Yes
- Mark – Yes
- Bob – Yes
- Terri -- Yes
- Bobby – Yes
- Motion passed.

- ❖ Request for release of “PONY RDE” "FREEWAY" “57” and "TENNIS" (B.Gall) – Bob believed this to be a moot point based on pervious actions of the Group today. Maren thought that the Group should have a uniform response, “that LPAG has tabled requests at this time and that they’ll be revisited in the near future.” Bob and Bobby thought that it should have a caveat about the new legislation.
- ❖ Request for DOR to remove “69” from offensive list Response (DOR) – Maren briefed the Group on this. The DOR committee did consider the request and reviewed AMVA, other states practices and the Texas State Supreme Court’s decision and has decided to keep “69” on the offensive list. Bob considered this a dead issue.
- ❖ Legislation – Bobby started noting that this is still in a bit of flux. Bobby reviewed HB16-1362 and how it would move LPAG 2.0 to the Department of Personnel and Administration and some of those consequences. Mark noted that there was resistance from DPA from last year’s bill and the current sticking points were

identification of the seats currently appointed on DBSCC; also there is an issue of staff support being a contractor vs. DPA staff support.

Public Testimony:

Peter offered similar anecdotes about how this money will provide continued support to PWD's and how important it is.

Next Scheduled Meeting – April 25 2016, 9:00 a.m. at 1881 Pierce Room 110 - Lakewood

11:15 a.m. Adjourn

Respectfully submitted
Chris Hochmuth
Administrative Services Supervisor
Title and Registration Section

Note: Electronic recordings of this meeting is available through the [CORA process](#).